

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

F025981 Douglass v. West Fresno School District, et al.

Cause called and argued by Harry Finkle, Esq., counsel for appellant and by Frank J. Torrano, Esq., counsel for appellant and by Douglas L. Gordon, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

F023910 County of Fresno v. Shelton

Cause called and argued by Kevin B. Briggs, Esq., Deputy County Counsel, counsel for appellant and by Jerome M. Behrens, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, June 17, 1998 at 10:00 A.M.

F027405 People v. Times

The judgment is reversed and the case remanded to the trial court for further proceedings consistent with the opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F029635 In re David M., a Minor

The juvenile court's order that David M. was involved in a criminal street gang and the commitment order imposed thereon in counts two and three are reversed. In all other respects, the orders of the juvenile court are affirmed. The case is remanded to the juvenile court for further proceedings to recalculate the length of David's commitment to CYA.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027585 People v. Harris

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028269 People v. Soto

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027846 People v. McNutt

F029178 In re Brian Keith McNutt on Habeas Corpus

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F028511 People v. Cummings

The judgment is affirmed.

By the Court.

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F028430 People v. Aguirre

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F025741 People v. Rodriguez

Appellant's petition for rehearing filed herein is denied.